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Innovations Affecting Us — Restraints to Electronic Publishing on the Horizon?

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Please note — We are looking for a second column editor for Innovations Affecting Us. If any of you out there are interested, please contact Katina <strauchk@cofc.edu> or norm <normd@providence.edu>. — KS

The Internet has changed the nature of publishing. Search engines and electronic indexing services make it easier than ever to identify articles and publications on virtually any topic. Many of these are available in fulltext as traditional print publishers have made many of their properties available via the Internet. In addition, anybody with access to a PC and an Internet connection can be an author or a publisher.

Recent developments in the music industry may have some significant implications for the publishing industry. Music publishers have traditionally controlled, to a large extent, the distribution of the music they publish. This affects the kinds of audiences to which musicians can get exposure and can determine royalty revenues and who becomes a star or a bestseller. New musicians may find it very difficult to get the attention of a music publisher and thus to get audience exposure.

The Internet has allowed musicians all over the world to publish their own material as a method of promotion in an attempt to increase their audience. Many musicians who don't have a contract with a recording label and many who do are converting their music to the digital MP3 format and distributing them free. The MP3 (MPEG-1, Layer 3) format supports a 12:1 compression ratio that allows recording almost 15 hours of CD-quality audio (Red Book-standard) on a 650 MB (74 minute) CD. This means that a 4-minute CD-Audio file can be compressed from 45 MB to 3.75 MB. This makes MP3 files easy to store and download or transfer at will. This ease of handling and high sound quality, virtually indistinguishable from the uncompressed version, accounts for the proliferation of MP3 sites on the Internet.

While some of the music on these MP3 sites may be covered by copyright, most of it is not. The **Recording Industry Association of America (RIAA)** filed restraining orders and brought injunctions and lawsuits against sites that violated copyright laws. **Michael Robertson**, president and CEO of Z Company and owner of the popular MP3.com Web

site, says: "MP3 is an excellent format for artists. Nearly 900 artists have signed up to use MP3, including larger artists like the **Beastie Boys** who currently have a Top Ten CD hit, and larger labels such as Hollywood Records who have also released hit songs in the MP3 format. ... [The majority of traffic in MP3 is legal. Over 4 million legal songs have been downloaded from the MP3.com site alone.] Software that tracks the number of times a piece has been accessed or downloaded can help identify musical trends or promising new musicians as they "move up the charts." However, the ease of access has drawn the attention of the **RIAA** which has filed a suit against **Diamond Multimedia** (www.diamondmm.com) in an attempt to block the sale of its Rio player.

The **Rio PMP 300** is a lightweight, portable MP3 player that sells for about \$200. It is about the size of a pager, a little shorter than an audio cassette, and just a little thicker. It has no moving parts, making it ideal for applications that require high-quality audio in extreme environments because it can't skip. The retail package includes a pair of tiny headphones, one AA battery (for a claimed 12 hours of operation), a CD-ROM with 170 MP3 tracks from www.goodnoise.com, and a serial number for \$5 worth of downloadable songs from www.mjjuice.com. **Nordic Entertainment Worldwide** (www.nordicdms.com) also sells a portable MP3 player, **MPMan**; but its offering, priced at \$499, contains 64 MB of memory—twice as much as Rio.

Rio's controls consist of play, fast forward, rewind, random play, volume up/down, etc. as well as a simple interface for transferring MP3 files from the user's PC. It has no recording feature of its own. It must be connected to a PC via a parallel port adapter (with a pass-through for a printer) to download MP3 files from the Internet or to digitize songs from one's CD collection. Rio comes with **MusicMatch's Jukebox** software, a shareware program priced at \$29.99 (www.musicmatch.com). Jukebox lets users convert tracks from any audio CD into the MP3 format and play songs in any specified order or random order on a multimedia PC. One can also download any desired songs to

a Rio and take the music anywhere.

The Rio can be used to mix and store up to 60 minutes of digital-quality music or up to eight hours of voice-based audio on 32 MB of flash memory. This storage capacity is probably its greatest limitation; but users can purchase an optional 32 MB flash memory upgrade for \$100 to double storage capacity. The Rio has no DC power input, requiring battery operation at all times. It has no controls to boost treble or bass and does not produce sound during fast forward or rewind, making it difficult to cue a particular musical selection.

The **RIAA**, in an attempt to "protect the creative content of the music industry," applied for a temporary restraining order on October 8, 1998 to prevent the sale of the Rio. It claimed that **Diamond Multimedia's Rio** violated the **Audio Home Recording Act** and alleged that the Rio "encourages consumers to infringe the rights of artists by trafficking in unlicensed music recordings on

the Internet." **Judge Andrea Collins** (Central District Court of California) issued the restraining order on Oct. 16, and required the **RIAA** to post a \$500,000 bond to compensate **Diamond** for damages incurred in the delay if **Diamond** eventually prevailed in court. Judge Collins denied the **RIAA's** application on Oct. 26, stating that "the Rio does not permit downstream copying

because the Rio itself has no digital output capability; and the removable flash memory cards cannot be copied by another Rio device." The **RIAA** filed an appeal which should be decided in early 1999. But even if the **RIAA** suit is successful, **Diamond** would have to pay only a 2 percent royalty on all Rio devices and add anticopying circuitry to discourage piracy of copyrighted songs. Two percent seems like a small increment that wouldn't harm Rio's market significantly.

Diamond's Ken Wirt says that "clearly, it appears that the **RIAA's** lawsuit against **Diamond** is being driven by the interests of its largest members, the 'big five' record labels, who are seeking to maintain their control of music distribution and prevent the unfettered freedom of musicians without recording contracts at their member compa-

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I am trying to make is that metadata is hardly a new phenomenon, and that libraries have been deeply involved with metadata for a very long time. However, the “data” in metadata certainly conjures up images of computer technology; and, as the Dublin Core definition indicates, metadata is commonly used in terms of description of information resources on the World Wide Web.

In fact, the Web and its phenomenal growth has inspired an interest in metadata that extends far outside of the bounds of the library community. Furthermore, the Web is now bringing non-library metadata standards into traditional library settings.

Daniel Greenstein of the UK’s Arts and Humanities Data Service sees three major arenas of activity that are generating an increased interest and awareness of metadata: 1) Curatorial traditions: such as libraries, museums and archives, which use their various flavors of metadata to describe, control, preserve and document the resources they manage. 2) Web-based information management: which includes bodies like the World Wide Web Consortium, where corporations such as Sun, Microsoft and Netscape hammer out new standards. 3) Network Resource Discovery: which includes business interests such as Yahoo, Altavista, NorthernLight, OCLC, etc. (Greenstein)

These definitions should provide you with a rough idea of what metadata is, at least in an abstract sense. But apart from MARC, I haven’t really given you any concrete examples of metadata standards, and how they are being used. When I was preparing my presentation for ODU I bounced some ideas off of our systems librarian who summarily said, “That’s fine, but SHOW ME THE METADATA!” — which is what I plan to do with the rest of this space. I will cover several standards that are relevant to libraries and list some URLs which you can use to check out some of the online resources that are using them. MARC is an example of a metadata standard that grew out of the library community in the late 1960s. Similarly, other professional and research communities have developed their own metadata standards. In recent years the Web has broken down many of the traditional barriers between these metadata communities by making large amounts of data available to the Internet audience—and to the patrons in your libraries. So what are these other metadata standards?

The Text Encoding Initiative (TEI)

The TEI began in 1987 as a joint venture of the **Association for Computers and**

the Humanities, the **Association for Computational Linguistics**, and the **Association for Literacy and Linguistic Computing**. The TEI set itself the task of developing guidelines for the preparation and interchange of electronic texts for scholarly research. In 1994 the **Guidelines for Electronic Text Encoding and Interchange** were released, which essentially describe how to “mark-up” electronic texts in the **Standard Generalized Markup Language (SGML)** so that they can be used for scholarly research. A key part of a TEI

“XML will probably be bringing metadata to your desktop and into your libraries even more in the near future.”

encoded document is the TEI header, which bears some resemblance to the MARC record since it includes a great deal of metadata about a text (author, title, publisher, etc.) After the TEI header comes the electronic text itself, which contains specialized markup for genres such as prose, verse and drama, as well as markup to in-

dicating textual elements such as paragraphs, quotations, changes in typeface, dates, etc. Creating electronic texts using the TEI guidelines allows the resulting text to be searched, analyzed and preserved in ways that would be impossible if it were simply a flat ASCII file.

Since 1994, more than 50 different electronic text projects that use the TEI guidelines have sprung up around the world. Notable among these are the **Oxford Text Archive** (<http://ota.ox.ac.uk/>), the **Electronic Text Center at the University of Virginia** (<http://etext.lib.virginia.edu/>), the **Humanities Text Initiative** at the **University of Michigan** (<http://www.hti.umich.edu/>), **Documenting the American South** at the **University of North Carolina-Chapel Hill** (**HYPERLINK** <http://sunsite.unc.edu/docsouth/>, <http://sunsite.unc.edu/docsouth/>), and the **Victorian Women Writers Project** at **Indiana University** (<http://www.indiana.edu/~lettrs/vwwp/>)—to name only a few. Many of these projects allow you to access their electronic texts over the Internet using the freely available **Panorama Viewer** (which allows you to view

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nies to distribute their music to a broad audience. Upcoming musicians, numbering in the thousands, are using the Internet to their advantage to create awareness in a cost-effective manner, which is clearly a threat to the major record labels’ current distribution model.”

The **RIAA** succeeded in legislating copy protection mechanisms on all recording devices with the passage of the **Digital Millennium Copyright Act**. If it is successful in its current lawsuit, the **RIAA** will tighten even further the restraints on distribution of original music. It seems that the **RIAA** wants to control the distribution not only of its own properties but also those of non-members. This is tantamount to making it illegal to disseminate music not published through a record label. Extending this analogy to print publications would mean that only publications produced and disseminated by a print publisher are worthy of distribution and that anything not so published is not worthy of consideration. Clearly, there is much important material that never gets published for a wide variety of reasons on both the author’s and the publisher’s part.

Publishers often pass on material that another publisher may accept. Poems, letters, and essays often get collected and published many years after their writing. This does not mean that they were unworthy of attention prior to publication. Consider the case of

Doris Lessing who submitted her manuscript for the *Diary of a Good Neighbor* to several different publishers under the pseudonym **Jane Somers** in the early 1980s. The publishers rejected it until she revealed her real identity whereupon it met with immediate acceptance. The success of the **RIAA** lawsuit could give legitimacy to conclusions that only published materials or those published by large companies like **Thomson, Bertelsmann, Gulf-Western, Elsevier, Pergamon, McGraw-Hill**, etc. are worthy of distribution.

Instead of accepting the inevitability of digital distribution and developing ways to implement it, the **RIAA** staunchly opposes the introduction of new media and new formats. The **RIAA** could allow audiophiles to create their own CDs by purchasing music on a tune-by-tune basis, just as print publishers charge by the search or by the article viewed or produced. Some of the MP3 Web sites have the capability of encoding selections to verify that nominal fees are paid upon access or downloading and for tracking pirated copies. There’s also an unremovable watermarking technology, such as that offered by **Aris Technologies Inc.** and used by companies such as **Nordic Entertainment**. This software allows Internet-scouting search engines to track down an embedded artist code to trace a file back to the original purchaser. However, instead of advocating change, the **RIAA** seems to be saying the status quo is the best way to achieve change. 🌱

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